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November 3, 1986

Mr. Charles A. Stieffermann
Missouri Department of Natural
Resources
Division of Environmental Quality
205 Jefferson Street
Jefferson State Office Building
Jefferson City, Missouri 65101



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SUPERFUND RECORDS

**RE: Holden POTW Sludge Meeting on October 9, 1986
and Telephone Conference on October 30, 1986
with the Missouri Department of Natural
Resources ("DNR")**

Dear Mr. Stieffermann:

On behalf of the Rose Chemical Steering Committee ("RCSC"), I want to thank you and your staff for meeting with us to discuss solutions to the City of Holden's POTW sludge problems. Our meeting was productive and I was gratified by the cooperative attitude and professionalism of the DNR. The RCSC and the DNR both seek a workable resolution for problems at Holden's POTW and our fruitful discussions strongly evidence mutual interest.

As agreed at our meeting, the RCSC will fund --- on a one-time basis --- the necessary POTW activities outlined below. After the completion of the RCSC response action, Holden must resume all responsibility for proper management of POTW materials.

The DNR has an important role in helping Holden achieve self-sufficiency in running its POTW. By improving any erroneous public perception that might interfere with Holden's future land application of POTW materials, the DNR provides invaluable assistance to Holden. In this regard, the RCSC looks forward to working with you to ensure that Holden reinitiates land application of POTW sludge. Certainly, the DNR has never proscribed Holden's land application of POTW sludge and such disposal is an environmentally sound practice. The RCSC strongly believes that Holden is fully capable of resuming POTW operations and that Holden should not again look to the RCSC to solve problems that might be associated with the unfortunate past history of Rose, Inc.

The success of our meeting is clearly shown by the large number of matters we discussed and resolved. Because our agreements form the basis for future RCSC

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AIR AND TOXICS DIVISION

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actions, I would appreciate your review of my meeting notes, which are incorporated into the remainder of this letter. Please inform me immediately if you disagree with the statements identified as the DNR's position.

1. Sludge Status Under Missouri Law (Existing Materials)

- * DNR states that because PCB concentrations below 50 ppm are unregulated by state law, the Holden POTW sludge, as tested by the State, is not regulated as a PCB.
- * DNR states that Holden's sludge may be land-applied, free of state restriction.
- * DNR states that Holden's sludge is a Missouri-regulated "special waste" only if it is sent to a state landfill for disposal.
- * DNR agrees that the Holden sludge is not regulated as a hazardous substance or other harmful material as defined under applicable Missouri law and that DNR has never issued an order, or taken other legally binding action requiring Holden's sludge to be managed as a hazardous material.

2. Preparation for Sludge Disposal

- * RCSC will provide DNR with scientific data on the total volume of sludge; the chemical constituents of kiln dust; and the PCB concentration in the sludge, before and after solidification. (This information will be forwarded to DNR upon receipt.)
- * After RCSC provides DNR with the above-described data, DNR will recognize the City of Holden as the "generator" of POTW sludge and approve the disposal of Holden's POTW sludge as a "Special Waste Disposal Request (for non-hazardous wastes)" under Missouri law.
- * DNR agrees to help the RCSC identify appropriate "special waste" sites in the event that the previously identified site refuses to accept Holden's POTW sludge, namely, Southeast Landfill, Kansas City, Missouri.
- * In the event that landfills refuse to accept Holden's sludge, the DNR will affirmatively state that Holden's sludge is non-hazardous, consistent with DNR's determination that the sludge is a "special waste", not a "hazardous waste".

3. Technology for Sludge Treatment

- * Before disposal, the RCSC will mix the POTW sludge with an

absorbant material known as "kiln dust".

- * The "kiln dust" is an inert material not containing any hazardous substances or hazardous constituents.
- * The "kiln dust" technology will utilize the existing on-site POTW drying beds as a mixing basin and the "kiln dust" will be added to the sludge in the drying beds.
- * The "kiln dust" added to the sludge will cause the resulting mixture to solidify and this solidified material will be shipped to an off-site sanitary landfill authorized by the State of Missouri to receive such materials.

4. Extent of POTW Response

- * RCSC will "treat" and remove the following on-site POTW materials: (1) sludge in the holding tanks and associated on-site equipment; (2) sludge in drying beds; and (3) purification sands.
- * DNR agrees that the RCSC need not clean any other materials, equipment, or other areas where POTW sludge may now be placed, whether on-site or off-site.
- * DNR agrees that the above-described POTW response is sufficient under both Missouri law and sound environmental practice.

5. RCSC and DNR Cooperation

- * DNR agrees to process the "special waste" permit on an expeditious basis.
- * DNR agrees to provide assistance to RCSC to find an appropriate sanitary landfill and to make representations to interested parties that the POTW sludge is a non-hazardous material no different than any other POTW sludge, as confirmed by the DNR's decision that the sludge is a "special waste".
- * DNR agrees that the RCSC response is a one-time action and that DNR will not again look to the RCSC to fund a response at Holden's POTW. To ensure this result, DNR recognizes that public education is a necessity and therefore DNR agrees to make representations to the public that Holden's POTW is not contaminated with PCBs.
- * RCSC agrees to inform DNR of the Holden POTW response action and will provide DNR with relevant information on sludge treatment, de-watering, sampling, and other scientific data necessary for DNR's evaluation of the RCSC response action.

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To reiterate, please contact me if you question my summaries of DNR's position on any matter listed above. Please feel free to contact me if you have comments on any aspect of the RCSC work at Holden's POTW. The RCSC looks forward to effecting a sound environmental response at the POTW. Further, the DNR's assistance in reversing erroneous public perceptions about the sludge will yield benefits to both the City of Holden and the State.

Sincerely,



Russell B. Selman

RBS/emw

cc: Sheldon A. Zabel, Esq.
James McConathy
Mr. Jene Robinson
Gary Johnson, Esq.

bcc: James Penfold
✓ Art Spratlin